(e) Whether it is also a fact that one of the employees of the Central Government was detained for more than 24 hours by the police authorites on 10th September, 1993 to facilitate his suspension while other accused arrested were produced/released same day, if so, the reason therefor and what action Government propose to take against concerned police officer; and

(f) What remedial action is being contemplated by Government to check illegal detentions by the Police?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P.M. SAYEED): (a) Two accused persons were arrested on 10.9.93 in a criminal case under sections 498-A and 406 IPC registered at PS Rajouri Garden.

(b) According to sub-section (1) of section 41 of the Cr PC, any police officer may without an order from a magistrate and without a warrant, arrest any person who has been involved in any congnizable offence, or against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists, of his having been so concerned.

(c) The Criminal Procedure Code provides that no police officer shall detain in custody a person arrested without warrant for a longer period than under all the circumstances of the case is reasonable, and such period shall not, in the absence of a special order of a Magistrate under section 167 exceed twenty-four hours exclusive of the time necessary for the journey from the place of arrest to the magistrate's court.

(d) to (f) One of the accused persons was produced in the Court on the same day while the other person arrested at about 9.05 P.M. on 10.9.1993, was produced in the Court on 11.9.93. Immediately after coming to know about one of the accused being Government servant, the police informed his Department about the arrest.

Position of the Kargil Distt. in the Constitution of the Ladakh Autonomous Council

2878. SHRI JAGMOHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether all the issues, legal as well as administrative relating to the setting up of the Ladakh Autonomous Council have been sorted out; and

(b) what is the position of the Kargil District in the proposed constitution of the Ladakh Autonomous Council?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): (a) and (b) Pursuant to a tripartite agreement between the Central Government, the State Government and the representatives of the Ladakh Buddhist Association, a series of meetings were held at the official level with representatives of the region to discuss issues pertaining to setting up appropriate institutional arrangements in Ladakh which would enable stepping up the pace of development and help to preserve the cultural heritage and aspirations of the people of the Region. A consensus was reached in the last meeting, held on 8-9 October 1993 in the presence of the Union Home Minister, to set up an Autonomous Hill Council for Leh. Pursuant upon this, the State Government is in the process of drawing up a legislation for the purpose, which would also have provision to enable a similar arrangement for the Kargil district.

Citizenship Rights in J&K

2879. SHRI JAGMOHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) What is the present position in regard to the representation of West Pakistan refugees who have been denied citizenship right in the State of Jammu and Kashmir;

(b) Whether the Supreme Court has made certain observations in this case and suggested setting right of anomalies by amending local laws;

(c) What action has so far been taken in the matter by Government; and

(d) If no action has been taken so far, what are the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): (a) to (d) The West Pakistani refugees have not been granted the permanent residency certificate of the State of J & K as envisaged in section 6 of the Constitution of J & K. They are, however, treated as citizens of India.

These refugees in J & K have been representing to the State Government and also to the Central Government from time to time demanding that those who migrated from West Pakista. on the eve of Partition and allowed to reside in Jammu & Kashmir should be declared as permanent residents of the State under the Jammu and Kashmir Constitution.

Under the existing provisions, they do not enjoy certain rights, which are otherwise available to the permanent residents of J & K. In the eyes of prevailing laws, they have not sustained any legal injury.

The Supreme Court had suggested that to set right the anomalous position, it is upto the legislature of the State of J & K to take action to amend relevant State laws. The Judgement of the Supreme Court had been brought to the notice of the State Government. It is felt that any further consideration in the matter would need to be left to the State legislature as and when constituted.

Cadres in Delhi Police Communication Units

2880. SHRI V. NARAYANASAMY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Delhi Police communication unit is maintaining two separate cadres i.e. Technical and Operation;

(b) if so, what is the sanctioned strength and present strength of each cadres upto the rank of Inspector;

(c) whether training, works and promotional opportunity of each cadres are separate;

(d) whether Technical Inspectors are deployed in the operation rooms to supervise operational works; and

(e) if so, the reasons and justification in detail about such deployment?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P.M. SAYEED) (a) The Communication unit of the Delhi Police has three cadres *viz* Technical, Operational and Stores.

(b) The information is given in statement attached (*See* below)

(c) Yes, Sir.

(d) Yes, Sir.

(e) At Present there is a shortage of 9 Inspectors in Operational cadre. In order to cope up with the work, 6 Inspectors (Technical) have been detailed temporarily to supervise the operational work.